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## GROUP 1600 THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Lustig et al.

Group Art Unit: 1646

Serial No. 09/163,713

Examiner: Michael D. Pak

Filed: September 30, 1998

Attorney Docket No. T97-012-1

For: Nuclear Hormone Receptor Drug Screens

## CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence is being transmitted by fax to the Assist Comm for Patents at (703) 308-4242 on February 15, 2000

Signed

Richard Osman

PRELIMINARY AMENDMENT

The Assistant Commissioner for Patents  
Washington, DC 20231

Dear Commissioner:

Please enter the following amendments:

IN THE CLAIMS

1. (Amended) An in vitro assay method for modulators of a nuclear hormone receptor function, comprising steps:

forming an in vitro mixture comprising a first nuclear hormone receptor, a peptide sensor and a candidate agent, but not a natural coactivator protein of the first receptor, wherein the sensor provides direct, agonist-dependent assay detectable binding to the first receptor under assay conditions and comprises <sup>from 5 to 24</sup> 24 or fewer amino acids.

measuring an agent-biased binding of the sensor to the first receptor;

comparing the agent-biased binding with a corresponding unbiased binding of the sensor to the first receptor;

wherein a difference between the biased and unbiased bindings indicates that the agent modulates a function of the first receptor.

2. (Unamended) A method according to claim 1, wherein the first receptor comprises the ligand binding domain of PPAR $\gamma$ , Cyp7PBP(LRH-1), NURR1, RZR $\beta$ , ROR $\alpha$ , NOR-1, Rev-Erba $\beta$ , Tlx, NGFI-B $\beta$ , HZF-2 $\alpha$ , COUP-TF $\alpha$ ,  $\beta$ ,  $\gamma$ , Nur77, LXR $\alpha$ , COR, Rev-Erba $\alpha$ , HNF4 $\alpha$ , TOR, MB67 $\alpha$ , SHP, FXR, SF-1, LXR $\beta$ , GCNF, TR2-11 $\alpha$ ,  $\beta$ , TR4, ERR $\alpha$ ,  $\beta$  and DAX-1